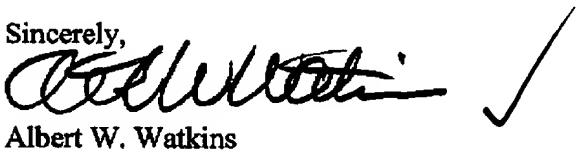
Support for the newly added claims is presented herein below on a claim by claim basis. Applicant's representative respectfully requests that the Examiner evaluate the applicability of MPEP 2305.04 in the present matter until a determination of proper inventorship may be made.

Present claims 21 - 24 correspond to claims 1 - 4 of allowed published patent application number US 2001/0041482. Claims 5, 12, and 19 of allowed published patent application number US 2001/0041482 were not copied, though applicant's top bearing housing 300 illustrates this thread arrangement. Present claims 25 - 30 correspond to claims 6 - 11 of allowed published patent application number US 2001/0041482. Present claims 31 - 36 correspond to claims 13 - 18 of allowed published patent application number US 2001/0041482. Present claim 37 corresponds to claim 20 of allowed published patent application number US 2001/0041482.

In view of the new claim language, references which may be relevant have been researched, and will be faxed subsequent to this transmission, together with a new IDS.

These amendments contain no new matter. A clean set of claims, without the markings that show the changes made, is attached herewith for entry as required under the new rules of practice. Since all original claims are canceled, not with the intent of abandoning or acquiescing to the present rejection in any way, but rather strictly for the purpose of invoking an interference and removing other claims from issue until such time as the interference issues are resolved, no additional marked copy of the claims is required or provided. The Examiner is therefore respectfully requested to reconsider the rejection and institute the interference. Please charge all fees associated with this correspondence to deposit account 17-0155.

Sincerely,



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320-363-7296

Enc.

09/756,688 Marked up version of claims showing correspondence of applicant's disclosure with claims copied from pending application

All original claims have been canceled, and replaced herein with claims copied from allowed US. published application 2001/0041482 for the express purpose of instituting an interference therewith to establish proper inventorship. The following claims include references from the present application drawings and specification identifying support for the copied claims:

21. A drive assembly for a marine mud motor (100 in fig 1, pg 2, lines 12-18) comprising:

a) an elongate drive tube (140, fig 1), configured for rotatably receiving a drive shaft (130, fig 1) therethrough, wherein a lower end of the drive tube includes;

b) a drive assembly housing (200, fig 1), having a lower end;

c) a bearing (260 - 264, fig 2), in rotational communication between the drive assembly housing and the drive shaft (page 10, lines 12 - 13); and

d) a seal (230, 235, fig 2), contained within the drive assembly housing, configured to restrict contaminants from entering the drive assembly housing (page 9, last line - page 10, first line).

22. A drive assembly as in claim 21, further comprising a seal cap (220, fig 2), coupled to the lower end of the drive assembly housing (200, fig 1), configured for retaining the seal (230, 235, fig 2) within the drive assembly housing (Page 9, last paragraph, second sentence).

23. A drive assembly as in claim 22, wherein:

a) the lower end of the drive assembly housing (200, fig 1) has screw threads (216 fig 3); and

b) wherein the seal cap (220, fig 2) has screw threads (226 fig 3), to allow the seal cap to be threadably connected to the lower end of the drive assembly housing.

24. A drive assembly as in claim 22, wherein the seal cap (220, fig 2) includes at least one seal (230, 235, fig 2) contained within the seal cap (Page 9, last paragraph, second sentence).

25. A drive assembly as in claim 21, wherein the drive assembly housing (200, fig 1) and the drive tube (140, fig 1) are an integral unit (page 11, lines 6 - 7).

26. A drive assembly for a marine mud motor (100 in fig 1, pg 2, lines 12-18), comprising:

a) an elongate drive tube (140, fig 1) having an inside, an outside and a lower end, configured for rotatably receiving a drive shaft (130, fig 1) therethrough, wherein the lower end of the drive tube includes;

b) an enlarged drive assembly housing (200, fig 1) having an inside, an outside, an upper end and a lower end, wherein the inside diameter of the enlarged assembly housing is larger than the inside diameter of the elongate drive tube (fig 3, page 11 lines 2-3);

c) a bearing (260 - 264, fig 2), in rotational communication between the enlarged drive assembly housing (200, fig 1) and the drive shaft (130, fig 1); and

d) a seal (230, 235, fig 2), contained within the enlarged drive assembly housing (200, fig 1), configured to restrict contaminants from entering the enlarged drive assembly housing (page 9, last line - page 10, first line).

27. A drive assembly as in claim 26, wherein the bearing (260 - 264, fig 2) includes an outside diameter larger than the inside diameter (fig 3, page 11 lines 2-3) of the drive tube (140, fig 1).

28. A drive assembly as in claim 26, further comprising a seal cap (220, fig 2), coupled to the lower end of the enlarged drive assembly housing (200, fig 1), configured for retaining the seal (230, 235, fig 2) within the enlarged drive assembly housing (200, fig 1).

29. A drive assembly as in claim 26, wherein:.

a) the lower end of the enlarged drive assembly housing (200, fig 1) has screw threads (216 fig 3); and

b) wherein the seal cap (220, fig 2) has screw threads (226 fig 3), to allow the seal cap to be threadably coupled to the lower end of the enlarged drive assembly housing (200, fig 1).

30. A drive assembly as in claim 28, wherein the seal cap (220, fig 2) includes at least one seal (230, 235, fig 2) contained within the seal cap.

31. A drive assembly as in claim 26, wherein the enlarged drive assembly housing (200, fig 1) and the drive tube (140, fig 1) are an integral unit (page 11, lines 6 - 7).

32. A drive assembly for a marine mud motor, comprising:

a) an elongate drive tube (140, fig 1) having an inside diameter, an outside diameter and a bottom end, configured for rotatably receiving a drive shaft therethrough;

b) the bottom end of the elongate drive tube includes an enlarged drive assembly housing (200, fig 1) having an inside, an outside, an upper end and a lower end, wherein the inside diameter of the enlarged drive assembly housing is larger than the inside diameter of the elongate drive tube;

c) an outer seal (230, fig 2), contained within the enlarged drive assembly housing (200, fig 1), oriented to restrict fluid from flowing in a direction from the upper end of the enlarged drive assembly housing to the lower end of the enlarged drive assembly housing (inherent, as commercially implemented, and well-known in the art);

d) an inner seal (235, fig 2), contained within the enlarged drive assembly housing (200, fig 1), oriented to restrict fluid from flowing in a direction from the lower end of the enlarged drive assembly housing to the upper end of the enlarged drive assembly housing wherein the inner seal is positioned nearer to the upper end of the enlarged drive assembly housing than the outer seal (inherent, as commercially implemented, and well-known in the art);

e) a pressurization area, formed between the inner and outer seals (inherent, as commercially implemented, and well-known in the art, if this feature in fact exists); and

f) at least one bearing (260 - 264, fig 2), in rotational communication with the drive assembly housing (200, fig 1) and the drive shaft, positioned between the inner seal and the upper end of the enlarged drive assembly housing (200, fig 1).

33. A drive assembly as in claim 32, wherein the at least one bearing (260 - 264, fig 2) includes an outside diameter larger than the inside diameter (fig 3, page 11 lines 2-3) of the drive tube (140, fig 1).

34. A drive assembly as in claim 32, further comprising a seal cap (220, fig 2), coupled to the lower end of the enlarged drive assembly housing (200, fig 1), configured to retain the seals (230, 235, fig 2) within the enlarged drive assembly housing (200, fig 1).

35. A drive assembly as in claim 34, wherein:

a) the lower end of the enlarged drive assembly housing (200, fig 1) has screw threads (216 fig 3); and

b) wherein the seal cap (220, fig 2) has screw threads (226 fig 3), and wherein the seal cap is threadably coupled to the lower end of the enlarged drive assembly housing (200, fig 1).

36. A drive assembly as in claim 34, wherein the seal cap (220, fig 2) includes at least one seal (230, 235, fig 2) contained within the seal cap.

37. A drive assembly as in claim 32, wherein the enlarged drive assembly housing (200, fig 1) and the drive tube (140, fig 1) are an integral unit (page 11, lines 6 - 7).